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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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City of Boston,

Civil Action No.:
03-12415 (RWZ)

Plaintiff,

-against-

Reinauer Transportation Companies,
LLC,

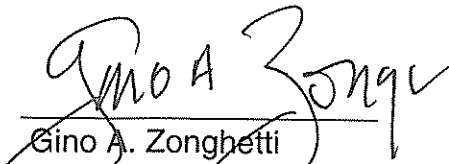
NOTICE OF CROSS-MOTION

Defendant.

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PLEASE TAKE NOTICE that upon the accompanying affidavit of Gino A. Zonghetti, Esq. and Memorandum of Law, defendant Reinauer Transportation Companies, LLC ("Reinauer") will cross-move this Court located at 1 Courthouse Way, Boston, Massachusetts on a date set by the Court in accordance with the individual practices of the Honorable Rya W. Zobel, U.S.D.J., for an order capping plaintiff's recoverable damages, if any, to the amount for which the alleged damage to the Chelsea Street Bridge could have been repaired at the time of the allision; together with such other further relief as the Court may deem just and proper.

Dated: November 13, 2006


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